

**CITY OF HUNTINGTON BEACH
Title VI Complaint Procedure
Tracking and Investigating**

It is the policy of the City of Huntington Beach to ensure that all programs, services, activities and benefits are implemented without discrimination in accordance with Title VI requirements. In compliance with these requirements, the City of Huntington Beach has established complaint investigation and format procedures for tracking and investigating complaints alleging discrimination on the basis of race, color or national origin.

Any person who believes that he or she, individually or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, national origin may file a written complaint with the City of Huntington Beach, the Federal Transit Administration (FTA), or the Secretary of Transportation. Further, the City of Huntington Beach prohibits intimidation, coercion or engagement in other discriminatory conduct against anyone because he or she has filed a complaint to secure rights protected by Title VI.

A signed complaint must be filed within 180 days after the date of the alleged discrimination, unless the time for filing is extended by the Secretary of Transportation. The City of Huntington Beach encourages complaints to be initially filed with the City of Huntington Beach for resolution. However, in those cases where the complainant is dissatisfied with the resolution by the City of Huntington Beach, the same complaint may be submitted to the FTA or the Secretary of Transportation for investigation. The City of Huntington Beach will notify and provide a copy of all complaints to the Orange County Transportation Authority (OCTA) Office of Civil Rights for review. Unless otherwise permitted, the final determination of all Title VI complaints affecting programs administered by the FTA will be made by the Office of the Secretary, Department of Transportation (DOT).

Signed written complaints may be submitted directly to the City of Huntington Beach or the FTA offices identified below:

- Joan Flynn, City Clerk
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648
- Federal Transit Administration
Office of Civil Rights
Title VI Program Coordinator
East Building, 5th Floor-TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

ATTACHMENT C

- Federal Transit Administration Region IX
Civil Rights Officer
201 Mission Street, Suite 1650
San Francisco, CA 94105-1839

The complaint information should include the date of the alleged act of discrimination, the date when the complainant(s) became aware of the alleged act of discrimination, the date on which that conduct was discounted, or the latest instance of conduct.

Complainants should present a detailed description of the issue(s), including the name(s) and job title(s) of those individual(s) perceived as parties in the complaint. The allegation must involve discrimination on the grounds of race, color or national origin. Allegations must involve a City of Huntington Beach service, program or activity of a federal-aid recipient, sub-recipient or contractor.

In cases where the complainant is unable or incapable of providing a written statement but wishes the City of Huntington Beach or the FTA to investigate an incident of alleged discrimination, a verbal complaint of discrimination may be made. The complainant will be interviewed by an appropriate official authorized to receive complaints. If necessary, the official will assist the complainant in converting verbal complaints to writing. Translation services will be provided to all complainants, as necessary. All complaints must, however, be signed by the complainant or his/her representative.

Information for filing a Title VI complaint can be accessed on the City of Huntington Beach website at <http://www.huntingtonbeachca.gov/> or by contacting the City of Huntington Beach City Clerk at (714) 536-5227. E-mail inquiries or initial complaints can be sent directly to the City of Huntington Beach at <http://www.huntingtonbeachca.gov/>

If information is needed in another language, contact the City Clerk.

Complaint Format:

- All complaints must be in writing and signed by the complainant or his/her representative before action can be taken. Complaints shall state, as fully as possible, the facts and circumstances surrounding the alleged discrimination.
- The City of Huntington Beach will provide the complainant or his/her representative with a written acknowledgment that the City of Huntington Beach has received the complaint within ten working days.

Tracking Complaints:

- The following complaint information will be tracked on the City of Huntington Beach Title VI Complaint/Investigation log by the City Clerk's Office:
 1. Date the complaint was received by the City of Huntington Beach
 2. Date an acknowledgment letter was sent to the complainant
 3. Entity
 4. Protected category
 5. Program/Activity/Service
 6. Summary of the allegation
 7. Status of the complaint
 8. Was the complaint investigated – yes/no
 9. Action Taken
 10. The response letter was sent to the complainant - action taken

Determination of Investigative Merit:

The City of Huntington Beach will begin an investigation within fifteen (15) working days of receipt of a complete and valid complaint. A complaint shall be regarded as meriting investigation unless:

- It clearly appears on its face to be frivolous or trivial;
- Within the time allotted for making the determination of jurisdiction and investigative merit, the party against whom the complaint was filed voluntarily concedes noncompliance and agrees to take appropriate remedial action;
- Within the time allotted for making the determination of jurisdiction and investigative merit, the complainant withdraws the complaint; or
- Other good cause for not investigating the complaint exists (e.g., respondent is presently under investigation by another Federal agency).

Request for Additional Information from Complainant and/or Respondent:

In the event that the complainant or respondent has not submitted sufficient information to make a determination of jurisdiction or investigative merit, the City of Huntington Beach may request additional information from either party. This request shall be made within 15 working days of the receipt of the complaint and will require that the party submit the information within 60 working days from the date of the original request. Failure of the complainant to submit additional information within the designated time frame may be considered good cause for a determination of no investigative merit. Failure of respondent to submit additional information within the designated time frame may be considered good cause for a determination of noncompliance.

Investigative Report:

The City of Huntington Beach will complete an investigation within ninety (90) days of receipt of the complaint. If additional time for the investigation is needed, the complainant will be contacted. A written report will be prepared by the responsible investigator at the conclusion of the investigation. The investigative report will include the following:

- Summary of the complaint, including a statement of the issues raised by the complainant and the respondent's reply to each of the allegations, citations of relevant Federal, State, and Local Laws, rules, regulations, and guidelines, etc.
- Description of the investigation, including a list of the persons contacted by the investigator, a summary of the interviews conducted, and a statement of the investigator's findings and recommendations. A closing letter will be provided to the complainant.

City of Huntington Beach Timeline Requirements

Signed complaint filed with the City Clerk's Office	180 days
City of Huntington Beach written acknowledgement from date of receipt	10 days
Begin investigation	15 days
Request for additional information from complainant(s)	15 days
Submit additional information	60 days
Complete investigation	90 days

Recordkeeping Requirements:

The City of Huntington Beach, City Clerk's Office will ensure that all records relating to the City of Huntington Beach Title VI Complaint Process are maintained with the department records for seven years as of the date of the complaint.

Records will be available for compliance review audits.

Title VI Complaint Form CITY OF HUNTINGTON BEACH

Title VI of the Civil Rights Act of 1964 provides that “no person in the United States shall, on the grounds of race, color or nation of origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.”

It is the policy of the City of Huntington Beach to ensure that all programs, services, activities, and benefits are implemented in a non-discriminatory manner.

Any person who believes that he or she, individually, or as a member of any specific class of persons, has been subjected to discrimination on the basis of race, color, or national origin may file a written complaint within 180 days after the date of the alleged discrimination with the City of Huntington Beach, the Federal Transportation Authority (FTA), or the Secretary of Transportation. Further, the City of Huntington Beach prohibits intimidation, coercion, or engagement in other discriminatory conduct against anyone because he or she has filed a complaint to secure rights protected by Title VI.

Please provide the following information:

Your Name	Phone Number
Street Address	
City	State Zip Code
Person(s) discriminated against (if someone other than complainant)	
Street Address	
City	State Zip Code

Date of Incident: _____

Which of the following best describes the reason for the alleged discrimination took place (circle one)

- Race
- Color
- National Origin (Limited English Proficiency)

If you are unable or incapable of providing a written statement, but wish the City of Huntington Beach to investigate alleged discrimination, a verbal complaint of discrimination may be made. Please contact (714) 536-5227 and speak with Joan Flynn, City Clerk. The complainant will be interviewed by an appropriate official authorized to receive complaints. If necessary, the official will assist you in converting verbal complaints to writing. Translation services will be provided to all complainants, as necessary. All complaints must, however, be signed by the complainant or his/her representative.

ATTACHMENT C

Please describe the alleged discrimination incident. Provide the name(s) and title(s) of all City of Huntington Beach employees involved if available. Explain what happened and whom you believe was responsible. Please use the back of this form if additional space is required.

Please mail your complaint form directly to the City of Huntington Beach at the following address:

Joan Flynn, City Clerk
City of Huntington Beach
2000 Main Street
Huntington Beach, CA 92648

Have you filed a complaint with any other federal, state or local agency? (Circle one) Yes/No

Agency	Contact Person
Street Address, City, State, Zip Code	
Agency	Contact Person
Street Address, City, State, Zip Code	

Listed below are the state and federal addresses if you wish to file a Title VI complaint directly with one or both of these agencies.

State Office

Federal Transit Administration
Region IX Office of Civil Rights
201 Mission Street, Suite 1650
San Francisco, CA 94105-1839

Federal Office

Federal Transit Administration
Office of Civil Rights
Title VI Program Coordinator
East Building 5th Floor – TCR
1200 New Jersey Avenue, SE
Washington, DC 20590

I affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

Complainant's Signature

Date